

REMARKS

This Amendment responds to the Office Action mailed November 30, 2004 in the above-identified application. Based on the foregoing amendments and the following comments, reconsideration and allowance of the application are respectfully requested.

Claims 2-24 were previously pending in the application. By this amendment, claims 2-6, 8-9, 14, 19 and 24 are amended in order to more clearly define the present invention. Claims 10-13, 15-18 and 20-23 are cancelled without prejudice or disclaimer. Accordingly, claims 2-9, 14, 19 and 24 are currently pending in the application. Claims 9, 14, 19 and 24 are independent claims. No new matter has been added.

The Examiner has required the Applicant to amend the specification to replace "claims" with "I or We claim", or the equivalent. The specification has been amended accordingly, and withdrawal of the objection is respectfully requested.

The Examiner has objected to claims 2-18 and 24 as containing various informalities. The suggested changes have been made, except as follows. The phrase "the VDSL" was not found in claim 3 and accordingly was not changed. In claim 24, line 9, the suggestion of the Examiner (replacing "extensions" by "extensions in the frames") has not been made, because a frame can contain more than one DMT symbol. To clarify, the phrase "having cyclic extensions" has been replaced by "each DMT symbol having cyclic extensions". Accordingly, withdrawal of the objections to the claims is respectfully requested.

The Examiner has rejected claims 3-6, 13, 18 and 23 under 35 U.S.C. § 112, second ¶, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner has identified certain claim language which has alleged to be unclear. The claims have been amended for clarification.

Claim 3 has been amended to eliminate the lack of antecedent basis for "the cross-talk signals".

Claim 4 has been rewritten for clarification. Regarding the assertion that "relative power" is indefinite, the Examiner is referred to page 8, lines 7-10 of the specification in connection with Fig. 5. As stated, the amplitude of each cross-talk peak is a relative measure of the power of the cross-talker.

Claims 5 and 6 have been amended to provide an antecedent basis for the identified claim language.

Claims 13, 18 and 23 have been cancelled. Accordingly, the amended claims are in compliance with 35 U.S.C. § 112, second ¶, and withdrawal of the rejection is respectfully requested.

Claims 2-8 and 24 are indicated to be allowable if rewritten or amended to overcome the objections and rejections under 35 U.S.C. § 112, second ¶. Based on the foregoing amendments and the above discussion, claims 2-8 and 24 are in condition for allowance.

Claims 12, 17 and 22 are indicated to be allowable if rewritten in independent form, including the limitations of the base claim and any intervening claims. Accordingly, claim 9 has been amended to incorporate the limitations of allowable claim 12. Claim 14 has been amended to incorporate the limitations of allowable claim 17, with an amendment to indicate that each DMT signal includes a DMT modulated carrier signal. This amendment is made to avoid inconsistent claim language. Claim 19 has been amended to incorporate the limitations of allowable claim 22. Claims 10-13, 15-18 and 20-23 have been cancelled. Accordingly, amended claims 9, 14 and 19 are in condition for allowance. Since all remaining claims were indicated to be allowable, no discussion of prior art is necessary.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
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